

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/533,589 Confirmation No. 2286
Applicant : James Proctor
Filed : May 3, 2005
Art Unit : 2617
Examiner : Michael Their
Docket No. : 080588
Customer No. : 23696

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

Sir:

In response to the Interview of December 22, 2008, the following is provided.

Remarks beginning on page 2 of this paper.

REMARKS/ARGUMENTS

At the outset, Applicants' representative thanks the Examiner for the courtesies extended during the interview conducted on December 22, 2008. Applicants' representative appreciates that the Examiner has indicated agreement that Provisional Application 60/390,094 cannot be relied upon as prior art under 35 U.S.C. §102(e).

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, at the telephone number listed below.

Deposit Account Authorization

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: January 27, 2009

By: _____

Linda G. Gunderson
Reg. No. 46341
Attorney for Applicant

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 651-7351
Facsimile: (858) 658-2502